

**COUNTY HIGHWAY DEPARTMENT  
CONSTRUCTION IN RIGHT-OF-WAY PERMIT  
(Utility)**

The Board of Billings County Commissioners, in the state of North Dakota, hereby grant permission to \_\_\_\_\_ to place, construct and thereafter maintain a utility line on County road right-of-way at the following location(s): Section: \_\_\_\_ Township: \_\_\_\_ Range \_\_\_\_ along county road \_\_\_\_\_ or crossing \_\_\_\_\_.

1. The utility line shall be placed at a minimum depth of \_\_\_\_\_ inches below the \_\_\_\_\_ surface of the ground.
2. The utility line shall be placed under county roads by means of pipe or boring tool pushed under the surface of the road, at a minimum depth of \_\_\_\_\_ inches.
3. Above ground fixtures shall be located off the road right-of-way or on the right-of-way line.
4. All trenches and other excavations shall be carefully backfilled in such a manner as to eliminate settlement, and the surface of the ground shall be returned to its original condition.
5. It is understood and agreed that Billings County will not be liable for any costs in connection with the future required relocation of the utility due to road improvement.
6. Installation, maintenance, relocation, and removal of said facilities on county right-of-way shall be done in a manner satisfactory to, and subject to supervision by the County Engineer for the County Highway Department.
7. Billings County shall not be liable for damage to said facilities resulting from reconstruction or maintenance of the right-of-way. Applicant and/or its successors shall hold the County harmless for injury to persons or damage to property resulting from the location of said facilities on county right-of-way. Applicant and/or its successors are responsible for any and all claims of damage, personal injury, or bodily injury that might result from their activities in crossing any existing road or section line in Billings County. Furthermore, the applicant and/or its successors agree to indemnify and hold harmless Billings County for any and all claims of damage, either personal injury or property or any type of claim for damages of any nature whatsoever, whether valid or invalid, that is made against Billings County on account of the activities conducted by the applying company and/or its successors in crossing any existing road or section line

8. Applicant and/or its successors shall promptly remove said facilities from county right-of-way or shall relocate or adjust said facilities, at its sole cost and expense when requested to do so by the County. When the applying company and/or its successors uses an existing road or section line easement, the applying company shall be responsible to pay for all costs of moving, relocating, or reconstructing the facility, should Billings County deem it necessary or advisable, in its sole discretion, to repair or reconstruct existing roads or to build new roads on section lines or off section lines as allowed by North Dakota State law. Should the applicant and/or its successors fail to take necessary steps to relocate, or reconstruct its facility, the county may take steps to have the same accomplished, and the applying company agrees to reimburse the county for all expenses incurred by Billings County in moving, relocating or reconstruction the facility so the existing roads may be repaired or reconstructed, or new roads may be built on the section line or off the section line as allowed by North Dakota law.
9. If at any time Billings County wants to excavate in this area and if it should require the utility line to be moved, it will be at the expense of the applying company and/or its successors.
10. Applicant and/or its successors shall repair or replace highway structures and appurtenances, and any existing facilities located on, over or under highway right-of-way, which may be damaged as a result of the installation and maintenance of said facilities on highway right-of-way, including but not limited to slumping in of trenches, collapse of pipe, etc.
11. A GPS'd drawing of proposed location must be placed on file with Billing County Auditor and must show at a minimum the location of the proposed facility from a section or quarter line, section, township and range the facility will be placed.
12. The application plans to bury a utility line facility that will follow or cross an existing section line or road easement which is further detailed as following: (type, size, product carried in pipeline, utility line, phone line, etc)

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Chairman, County Board of Commissioners/Date

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Applicant (Representative)      Date

Attest: \_\_\_\_\_

County Auditor

Date

# BILLINGS COUNTY, ND

TWP/RANGE	DISTRICT
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137-100	<p><b>DISTRICT 3</b></p> <p>Jim Arthaud, Commissioner 701-623-4461</p> <p>Jeff Iverson, District 3 Foreman 701-575-4661</p>
137-101	
137-102	
138-100	
138-101	
138-102	
139-100	
<b>FRYBURG</b>	
139-101	
139-102	
140-100	
140-101	
140-102	

141-98	<p><b>DISTRICT 2</b></p> <p>Mike Kasian, Commissioner 701-677-5589</p> <p>Roy Krivoruchka, District 2 Foreman 701-575-4782</p>
141-99	
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142-102	

143-98	<p><b>DISTRICT 1</b></p> <p>Allan "Ted" Thompson, Commissioner 701-575-4937</p> <p>Jim Haag, District 1 Foreman 701-575-4546</p>
143-99	
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<b>MEDORA</b>	